

Certificate of Mailing: Date of Deposit: July 26, 1999

I hereby certify under 37 CFR 1.8(a) that this correspondence is being deposited with the United States Postal Service as **first class mail** with sufficient postage on the date indicated above and is addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231.

Lisa Fothergill
 Printed name of person mailing correspondence

Lisa Fothergill
 Signature of person mailing correspondence

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Brian Seed et al.

Art Unit: 1636

Serial No.: 08/717,294

Examiner: Degen, N.

Filed: September 20, 1996

Title: HIGH LEVEL EXPRESSION OF PROTEINS

Assistant Commissioner of Patents
 Washington, D.C. 20231

18

PETITION TO SUSPEND ACTION ON APPLICATION

Applicant hereby petitions to suspend action on the above-referenced application.

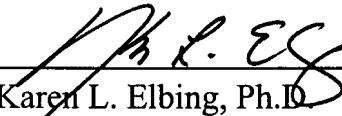
In an Office Action mailed January 29, 1999, the claims in this case were rejected, under 35 U.S.C. § 102, pending correction of inventorship in U.S. Patent No. 5,786,464 and corresponding PCT application, WO 96/09378. Applicants have inquired as to the status of their petition to correct inventorship of the '464 patent and have been informed that a decision on the petition has not yet been reached by the U.S. Patent Office. To appropriately respond to the current Office Action, applicants therefore request that prosecution of this application be suspended until such time as (i) a decision on

inventorship of the '464 patent is received from the U.S. Patent Office, (ii) this decision may be forwarded to the PCT Office and correction of the corresponding PCT application accomplished, and (iii) notification of these inventorship corrections may be timely transmitted to the present Examiner.

A check for the fee required under 37 C.F.R. § 1.17(i) is submitted herewith. If there are any charges, or any credits, please apply them to Deposit Account No. 03-2095.

Respectfully submitted,

Date: 26 July 1999


Karen L. Elbing, Ph.D.
Reg. No. 35,238

Clark & Elbing LLP
176 Federal Street
Boston, MA 02110
Telephone: 617-428-0200
Facsimile: 617-428-7045

\Ceserver\documents\00786\345xxx\00786.345001 petition to suspend prosecution.wpd